

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN DANIEL FUCHS**, on January 29, 2003 at 8:00 A.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Daniel Fuchs, Chairman (R)
Rep. Ronald Devlin, Vice Chairman (R)
Rep. Ron Erickson, Vice Chairman (D)
Rep. Joan Andersen (R)
Rep. Joe Balyeat (R)
Rep. Gary Branae (D)
Rep. Eileen J. Carney (D)
Rep. Jill Cohenour (D)
Rep. Larry Cyr (D)
Rep. Gary Forrester (D)
Rep. Kim Gillan (D)
Rep. Verdell Jackson (R)
Rep. Bob Lake (R)
Rep. Carol Lambert (R)
Rep. Jesse Laslovich (D)
Rep. Jim Peterson (R)
Rep. John (Jack) W. Ross (R)
Rep. Karl Waitschies (R)

Members Excused: None.

Members Absent: None.

Staff Present: Kathleen Ely, Committee Secretary
Jeff Martin, Legislative Branch

Please Note:

Video-taped Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

Committee Business Summary:

Hearing & Date Posted: HB 406, 1/24/2003; HB 398,
1/24/2003; HB 391, 1/24/2003
Executive Action: HB 406, DO PASS
HB 318, TABLED

EXHIBIT(tah19a01)

EXHIBIT(tah19a02)

HEARING ON HB 406

Sponsor: REP. WAITSCHIES, HD 96, PEERLESS

Opening Statement by Sponsor:

8:03 a.m. REP. WAITSCHIES

Proponents' Testimony:

8:05 a.m. Neil Peterson

EXHIBIT(tah19a03)

EXHIBIT(tah19a04)

Opponents' Testimony: None.

Questions from Committee Members and Responses:

8:07 a.m. REP. BALYEAT

8:08 a.m. Neil Peterson

8:10 a.m. REP. BALYEAT

8:11 a.m. Neil Peterson

8:12 a.m. REP. BALYEAT

8:13 a.m. REP. ERICKSON

8:13 a.m. Neil Peterson

Closing by Sponsor:

8:14 a.m. REP. WAITSCHIES

HEARING ON HB 398

Sponsor: REP. BALYEAT, HD 32, BOZEMAN

EXHIBIT(tah19a05)

EXHIBIT(tah19a06)

Opening Statement by Sponsor:

8:03 a.m. REP. BALYEAT

EXHIBIT(tah19a07)

Proponents' Testimony:

8:40 a.m. Ray Fuller, Rocky Mountain Christian High School

8:42 a.m. Mike Dellwo, Cornerstone Academy

EXHIBIT(tah19a08)

8:45 a.m. Patrick Haggerty, Catholic Diocese of Helena

8:50 a.m. Julie Millam, Montana Family Coalition

8:51 a.m. Lani Candelora, Executive Director, Montana Catholic Conference

8:54 a.m. REP. JACKSON, HD 79, KALISPELL

Opponents' Testimony:

9:03 a.m. Eric Feaver, President, MEA-MFT

9:13 a.m. Lance Melton, Montana School Boards Association

EXHIBIT(tah19a09)

9:18 a.m. Rachel Haberman, Energy Share of Montana

9:20 a.m. Aidan Myhre, Governor's Task Force on Endowed Philanthropy

Questions from Committee Members and Responses:

9:25 a.m. REP. WAITSCHIES

9:25 a.m. **REP. BALYEAT**

9:28 a.m. **REP. DEVLIN**

9:28 a.m. **REP. BALYEAT**

9:29 a.m. **REP. DEVLIN**

9:29 a.m. **Jeff Martin**

9:29 a.m. **REP. DEVLIN**

9:29 a.m. **REP. BALYEAT**

9:30 a.m. **REP. DEVLIN**

9:30 a.m. **REP. BALYEAT**

9:31 a.m. **REP. DEVLIN**

9:32 a.m. **REP. BALYEAT**

9:33 a.m. **REP. COHENOUR**

9:33 a.m. **Ray Fuller**

9:34 a.m. **REP. COHENOUR**

9:34 a.m. **Eric Feaver**

9:34 a.m. **REP. COHENOUR**

9:34 a.m. **Eric Feaver**

9:36 a.m. **REP. LAKE**

9:36 a.m. **Jeff Martin**

9:36 a.m. **REP. LAMBERT**

9:38 a.m. **REP. BALYEAT**

9:39 a.m. **REP. COHENOUR**

9:39 a.m. **Lance Milton**

9:40 a.m. **REP. COHENOUR**

9:40 a.m. **Lance Milton**

9:41 a.m. **REP. GILLAN**

9:41 a.m. **Aidan Myhre**

9:42 a.m. **REP. GILLAN**

9:42 a.m. **Aidan Myhre**

9:45 a.m. **REP. GILLAN**

9:45 a.m. **Aidan Myhre**

9:47 a.m. **REP. JACKSON**

9:48 a.m. **Ray Fuller**

Informational Testimony

9:51 a.m. **Mike Barrett**

Closing by Sponsor:

9:54 a.m. **REP. BALYEAT**

10:07 a.m. Break

10:26 a.m. Resume

HEARING ON HB 391

Sponsor: **REP. BALYEAT, HD 32, BOZEMAN**

Opening Statement by Sponsor:

10:27 a.m. **REP. BALYEAT**

Proponents' Testimony:

10:28 a.m. **Dave Ohlen, Department of Revenue**

10:29 a.m. **Jon Metropoulos, Montana Society of Certified Public Accountants**

Opponents' Testimony: None.

Questions from Committee Members and Responses: None.

10:31 a.m. CHAIRMAN FUCHS

10:32 a.m. REP. FORRESTER

10:32 a.m. REP. BALLYEAT

10:32 a.m. Bob Gilbert, Department of Revenue

Closing by Sponsor:

10:32 a.m. REP. BALLYEAT

EXECUTIVE ACTION ON HB 318

Motion: 10:35 a.m. REP. CARNEY moved that HB 318 DO PASS.

Motion: 10:36 a.m. REP. CARNEY moved that HB 318 BE AMENDED.

EXHIBIT (tah19a10)

10:36 a.m. REP. CARNEY

10:40 a.m. REP. BRANAE

10:40 a.m. REP. CARNEY

10:41 a.m. REP. GILLAN

10:41 a.m. REP. CARNEY

10:42 a.m. REP. GILLAN

10:42 a.m. REP. CARNEY

10:42 a.m. REP. GILLAN

10:43 a.m. REP. CARNEY

10:43 a.m. REP. WAITSCHIES

10:44 a.m. REP. CARNEY

10:44 a.m. REP. WAITSCHIES moved to segregate Section 10 of the Amendments.

10:45 a.m. REP. ANDERSON

10:45 a.m. REP. CARNEY

Vote: 10:45 a.m. Motion that **HB 318 WITH SECTION 10 SEGREGATED BE AMENDED** carried unanimously by roll call vote.

10:46 a.m. CHAIRMAN FUCHS

10:46 a.m. REP. CARNEY

10:47 a.m. REP. BALLYEAT

Motion/Vote: 10:48 a.m. REP. CARNEY moved that **SEGREGATED SECTION 10 OF THE AMENDMENT TO HB 318 BE CHANGED FROM 10% TO 15% BE AMENDED**. Motion carried unanimously by voice vote.

Motion: 10:48 a.m. REP. CARNEY moved that **HB 318 DO PASS AS AMENDED**.

10:49 a.m. REP. ERICKSON

10:49 a.m. REP. BALLYEAT

10:50 a.m. REP. CYR

10:52 a.m. REP. PETERSON

10:53 a.m. REP. LAMBERT

10:53 a.m. REP. CARNEY

10:53 a.m. REP. PETERSON

10:55 a.m. REP. COHENOUR

Motion/Vote: 10:55 a.m. REP. ROSS moved that **HB 318 BE TABLED**. Motion carried 13-5 with BRANAE, CARNEY, COHENOUR, CYR, and ERICKSON voting no by roll call vote.

10:57 a.m. REP. CARNEY

EXECUTIVE ACTION ON HB 406

Motion: 10:58 a.m. REP. WAITSCHIES moved that **HB 406 DO PASS**.

10:59 a.m. REP. BALLYEAT

Vote: Motion that **HB 406 DO PASS carried unanimously** by voice vote.

11:02 a.m. **REP. ERICKSON**

11:03 a.m. **CHAIRMAN BALLYEAT**

11:03 a.m. **REP. LAKE**

11:03 a.m. **REP. ERICKSON**

11:03 a.m. **CHAIRMAN FUCHS**

11:03 a.m. **REP. LAKE**

11:03 a.m. **CHAIRMAN FUCHS**

ADJOURNMENT

Adjournment: 11:04 A.M.

REP. DANIEL FUCHS, Chairman

KATHLEEN ELY, Secretary

DF/KE

EXHIBIT (tah19aad)